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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,550	09/12/2003	Norikazu Yokonuma	100169.01	6411

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EXAMINER

LE, TUAN H

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/660,550

Applicant(s)

YOKONUMA ET AL.

Examiner

Tuan H. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/081784.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. **Claim 15** is objected to because of the following informalities: "data" on line 26 of claim 15 is spelled incorrectly. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoh et al in view of Kodama (US5905528)

Applicant's invention includes a controller, that prior to image data transmission, from the transmission side camera, receives remaining capacity data of the image data memory in a receiver side camera and displays an image number corresponding to the remaining capacity of the receiver side camera.

Satoh teaches communication devices for transmitting and receiving stored image data. First, the transmission side acknowledges the connection of modems and sends a "communication request" command to the reception side camera. The reception side camera also checks the modem connection and then acknowledges the "communication request" command from the transmission side camera. The reception side then checks for available memory capacity. If there is available memory, an "OK" command is transmitted to the transmission side camera for display; if not, an "NG" command is sent. Next, the user selects an image (or images) to be transmitted. Then, a "data send start (transmission)" command is transmitted to the reception side camera (which inherently sends the size of the image file). Upon reception of the start command, the reception side camera checks whether the transmission side image data file is greater than the reception side memory card empty capacity. If there is available memory, an "OK" command is transmitted to the transmission side camera for display; if not, an "NG" command is sent.

Regarding claim 1, Satoh discloses, in figure 1, an electronic camera having an image memory for storing image data and operable in a communication mode for transmitting the image data from the image data memory to a different, receiver side camera (see col. 12, line 39-67; also see figures 7 and 8), the electronic camera comprising:

Controller that, prior to image data transmission, receives remaining capacity data relating to a remaining capacity (transmission side camera receives an "OK if memory capacity is available) of an image data memory of a receiver

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side camera and displays information (telephone mark flickering) corresponding to the remaining capacity (see col. 13, lines 1-26).

Satoh teaches communication devices for transmitting and receiving stored image data. Satoh et al does not expressly disclose displaying the amount of the remaining capacity for a plurality of different types of image data having different sizes. Kodama teaches that it is well known in the art to display the remaining capacity, in various picture types (high-definition still pictures, normal still pictures and normal moving pictures), of a recording medium (see col. 8 lines 47-62; also see figures 17A-17J). It would have been obvious to one of ordinary skill in the art for Satoh to implement Kodama's teachings since Satoh teaches displaying the number of image files in a memory. It would have been highly desirable to display how many still pictures can be shot with a remaining capacity of a recording medium, as taught by Kodama. This would allow Satoh to display the number of images that can be transmitted.

Regarding claim 2, see claim 1 above.

Regarding claim 3, see claim 1 above.

Regarding claim 6, see claim 1 above where the display is discussed.

Regarding claim 19, see claim 1 above.

Regarding claim 20, see claim 2 above.

Regarding claim 21, see claim 6 above.

Regarding claim 24, see claim 1 above.

Regarding claims 4 and 22, Satoh teaches communication devices for transmitting and receiving stored image data. Satoh does not expressly disclose

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the displayed number of image files that can be transmitted without exceeding the remaining capacity. Kodama teaches that it is well known in the art to display the remaining frames of a recording medium (see col. 5, lines 26-35). It would have been obvious to one of ordinary skill in the art for Satoh to implement Kodama's teachings since Satoh teaches display the number of images files in a memory. It would have been highly desirable to display how many still pictures can be shot with a remaining capacity of a recording medium, as taught by Kodama. This would allow Satoh to display the number of images that can be transmitted.

4. **Claims 7-13 and 25-31 are rejected under 34 U.S.C. 103(a) as being unpatentable over Satoh et al in view of Kodama in further view of Applicant's conceded prior art.**

Regarding claim 7, Satoh discloses, in figure 1, an electronic camera having an image memory for storing image data and operable in a communication mode for transmitting the image data from the image data memory to a different, receiver side camera (see col. 12, lines 39-67; also see figures 7 and 8), the electronic camera comprising:

A controller that, prior to image data transmission, receiver remaining capacity data relating to a remaining capacity (transmission side camera receives an "OK" if memory capacity is available) of an image data memory of a receiver side camera and displays information (telephone mark flickering) corresponding to the remaining capacity (see col. 13, lines 1-26).

Satoh does not expressly disclose the use of more than one receiver side camera. However, Applicant reveals that it is well known in the art to simultaneously transfer image data to a plurality of cameras (see page 2, lines 7-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement such teachings. It would have been highly desirable for Satoh to be able to transfer as much image data as possible by selecting the camera within a plurality of cameras that has a maximum remaining recordable capacity, as taught by Applicant. This would prevent the user from transferring image data larger than the remaining capacity of a single receiver side camera.

In addition, Kodama teaches that it is well known in the art to display the remaining capacity, in various picture types (high-definition still pictures, normal still pictures and normal moving pictures), of a recording medium (see col. 8, lines 47-62; also see figures 17A-17J). It would have been obvious to one of ordinary skill in the art for Satoh to implement Kodama's teachings since Satoh teaches displaying the number of image files in a memory. It would have been highly desirable to display how many still pictures can be shot with a remaining capacity of a recording medium, as taught by Kodama. This would allow Satoh to display the number of images that can be transmitted.

Regarding claim 8, in the combination of Satoh and Applicant's conceded prior art, it would have been obvious to one of ordinary skill in the art to be able to select at least one of the plurality of receiver side cameras in response to an

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input command since, Satoh, alone, teaches sending a start command to a single reception side camera upon user input.

Regarding claim 9, in the combination of Satoh and Applicant's conceded prior art, it would have been obvious to one of ordinary skill in the art to prohibit the selection of an amount of image data for transmission when the selected amount exceeds a remaining capacity of a selected receiver side camera having a lowest remaining capacity. As discussed in claim 1, Satoh sends a "NG" command when the transmission side camera image data file is greater than that of the reception side camera.

Regarding claim 10, see claim 9 above.

Regarding claim 11, in the combination of Satoh and Applicant's conceded prior art, it would have been obvious to one of ordinary skill in the art to send a command for activating a display of the at least one receiver side camera selected to receive the transmission since Satoh discloses a LCD.

Regarding claim 12, in the combination of Satoh and Applicant's conceded prior art, it would have been obvious to one of ordinary skill in the art to display a number of image files that can be transmitted without exceeding the remaining capacity since Satoh discloses, in a separate embodiment, that it is well known in the art to display the frame or file number on a LCD (see col. 22, lines 40-41).

Regarding claim 13, Satoh discloses, in a separate embodiment, each image file corresponds to one still image (see col. 26, lines 57-59).

Regarding claim 25, see claim 7 above.

Regarding claim 26, see claim 8 above.

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Regarding claim 27, see claim 9 above.

Regarding claim 28, see claim 7 above. In addition, see examiners' notes above.

Regarding claim 29, see claim above. In addition, see examiner's notes above where the prohibition of selection of a receiver side camera is discussed.

Regarding claim 30, see claim 7 above. In addition, see examiner's notes above where the prohibition of selection of a receiver side camera is discussed.

Regarding claim 31, see claim 7 above. In addition, see examiner's notes above where the prohibition of selection of a receiver side camera is discussed.

5. Claims 14-18 are rejected under 35.U.S.C. 103(a) as being unpatentable over Satoh et al in view of Applicant's conceded prior art.

Regarding claim 14, Satoh disclose, in figure 1 an electronic camera having an image memory for storing image data and operable in a communication mode for transmitting the image data from the image data memory to a different receiver side camera (see col. 12, lines 39-67; also see figures 7 and 8), the electronic camera comprising:

a controller that, prior to image data transmission, receives remaining capacity data relating to a remaining capacity (transmission side camera receives an "OK" if memory capacity is available) of an image data memory of a receiver side camera and displays information (telephone mark flickering) corresponding to the remaining capacity (see col. 13, lines 1-26).

Satoh does not expressly disclose the use of more than one receiver side camera. However, Applicant reveals that it is well known in the art to simultaneously transfer image data to a plurality of cameras (see page 2 lines 7-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement such teachings. It would have been highly desirable for Satoh to be able to transfer as much image data as possible by selecting the camera within a plurality of cameras that has a maximum remaining recordable capacity, as taught by Applicant. This would prevent the user from transferring image data larger than the remaining capacity of a single receiver side camera (see examiners' notes above).

Regarding claim 15, Satoh discloses, in figures 1, an electronic camera having an image memory for storing image data and operable in a communication mode for transmitting the image data from the image data memory to a different, receiver side camera (see col. 12 lines 39-67; also see figures 7 and 8), the electronic camera comprising:

a controller that, prior to image data transmission, receives remaining capacity data relating to a remaining capacity (transmission side camera receives an "OK" if memory capacity is available) of an image data memory of a receiver side camera and displays information (telephone mark flickering) corresponding to the remaining capacity (see col. 13, lines 1-26).

Satoh does not expressly disclose the use of more than one receiver side camera. However, Applicant reveals that it is well known in the art to simultaneously transfer image data to a plurality of cameras (see page 2 lines 7-

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17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement such teachings. It would have been highly desirable for Satoh to be able to transfer as much image data as possible by selecting the camera within a plurality of cameras that has a maximum remaining recordable capacity, as taught by Applicant. This would prevent the user from transferring image data larger than the remaining capacity of a single receiver side camera (see examiners' notes above).

Regarding claim 16, Satoh discloses, in figures 1, an electronic camera having an image memory for storing image data and operable in a communication mode for transmitting the image data from the image data memory to a different, receiver side camera (see col. 12 lines 39-67; also see figures 7 and 8), the electronic camera comprising:

a controller that, prior to image data transmission, receives remaining capacity data relating to a remaining capacity (transmission side camera receives an "OK" if memory capacity is available) of an image data memory of a receiver side camera and displays information (telephone mark flickering) corresponding to the remaining capacity (see col. 13, lines 1-26).

Satoh does not expressly disclose the use of more than one receiver side camera. However, Applicant reveals that it is well known in the art to simultaneously transfer image data to a plurality of cameras (see page 2 lines 7-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement such teachings. It would have been highly desirable for Satoh to be able to transfer as much image data as possible by

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selecting the camera within a plurality of cameras that has a maximum remaining recordable capacity, as taught by Applicant. This would prevent the user from transferring image data larger than the remaining capacity of a single receiver side camera (see examiners' notes above).

Regarding claim 17, Satoh discloses, in figures 1, an electronic camera having an image memory for storing image data and operable in a communication mode for transmitting the image data from the image data memory to a different, receiver side camera (see col. 12 lines 39-67; also see figures 7 and 8), the electronic camera comprising:

a controller that, prior to image data transmission, receives remaining capacity data relating to a remaining capacity (transmission side camera receives an "OK" if memory capacity is available) of an image data memory of a receiver side camera and displays information (telephone mark flickering) corresponding to the remaining capacity (see col. 13, lines 1-26).

Satoh does not expressly disclose the use of more than one receiver side camera. However, Applicant reveals that it is well known in the art to simultaneously transfer image data to a plurality of cameras (see page 2 lines 7-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement such teachings. It would have been highly desirable for Satoh to be able to transfer as much image data as possible by selecting the camera within a plurality of cameras that has a maximum remaining recordable capacity, as taught by Applicant. This would prevent the user from

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transferring image data larger than the remaining capacity of a single receiver side camera (see examiners' notes above).

Regarding claim 18, see examiner notes above.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- **Yoshida (U.S. Pat. 5,172,246)** discloses method and apparatus for image communication.
- **Hirai (U.S. Pat. 5,349,448)** discloses an image communication apparatus, which stores image data in a first memory, and transfers the image data in a first memory to a detachable external storage medium.
- **Iwami et al (U.S. Pat. 5,528,284)** discloses a video communication system including a sending terminal and a receiving terminal connected via a packet switching network.

Conclusion

7. This is a continuation of applicant's earlier Application No. 09/081,784. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.



DAVID OMETZ
SUPERVISORY PATENT EXAMINER

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan H. Le whose telephone number is (571) 270-1130. The examiner can normally be reached on M-Th 7:30-5:00 F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tuan Le
Patent Examiner.



DAVID OMETZ
SUPERVISORY PATENT EXAMINER